

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
  
Diana Letsach  
  
Respondent

Civil Citation No. 68499  
  
75 Mountain Green Circle

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 24, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-4-201; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, 1B01.1D, failure to clean and remove all trash from rear of property on residential property known as 75 Mountain Green Circle, 21244.

On October 20, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Chip Raynor issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 24, 2009 for removal of trash and debris, proper storage of garbage in cans with tight lids, and cut and remove tall grass and weeds. This Citation was issued on October 20, 2009.

B. Photographs in the file show garbage cans overflowing with bagged garbage, and no lids. Photographs show piles of lumber and a large pile of discarded carpet and carpet padding. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected, with all junk and debris removed and garbage properly stored in cans with tight lids, by December 21, 2009.

IT IS FURTHER ORDERED that after December 21, 2009 the County may enter the property for the purpose of removing junk, trash and debris, at Respondent's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 3<sup>rd</sup> day of December 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf